

USED OIL PROGRAM IN LOUISIANA

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OVERVIEW

- Louisiana promulgated the used oil regulations to match the federal requirements.
- The location of the regulations is Chapter 40 of the hazardous waste regulations. (LAC 33:V.Chapter 40)

LOUISIANA SPECIFIC IMPLEMENTATION

- Used Oil Manifest
 - No used oil manifest was created in Louisiana.
 - The shipping papers or bill of lading used to transport the used oil must contain all of the information that the manifest was to have.

LOUISIANA SPECIFIC IMPLEMENTATION

- Used Oil Transfer Facilities
 - Facility requests status
 - Request is sent to Enforcement Division
 - Surveillance regional office is contacted to inspect the proposed site.

LOUISIANA SPECIFIC IMPLEMENTATION

- Used Oil Transfer Facilities (cont'd)
 - Inspector goes to site to document the following information:
 - Surrounding land usage (business, industrial, residential, etc.)
 - Traffic pattern of area (i.e. Does the transport truck have to travel through a residential area to get to the transfer facility? Is the facility next to a school?)

LOUISIANA SPECIFIC IMPLEMENTATION

- Used Oil Transfer Facilities (cont'd)

- Inspection documentation (cont'd.)

- Drainage flow pattern at the site
 - Receiving water bodies?
 - Stormwater permit needed?
 - Used oil materials storage
 - Will tanks or containers be used?
 - Will a Spill Prevention, Control, and Countermeasures Plan be needed? If needed, are the controls in place?

LOUISIANA SPECIFIC IMPLEMENTATION

- Used Oil Transfer Facilities (cont'd)
 - Secondary containment
 - Is secondary containment in place?
 - Is the containment appropriate for the materials and activities?
 - Other requirements
 - Can the facility meet all other appropriate regulatory requirements?
 - Is there any other issue at the site that needs to be considered in the approval process?

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ISSUES

ISSUES

- Rebuttable Presumption
 - Regulations make it more of a transporter responsibility
 - Transporters do not generally have enough information on the used oil generation and/or mixing of the used oil with other materials to successfully rebut.

ISSUES

- Secondary Containment at Transfer Facilities
 - Roll-off boxes storing used oil contaminated materials must be in secondary containment if any free liquids accumulate in the bottom of the container.

We do not know how other states or the EPA regions view this issue. We have been told that we are more stringent.

COMMONLY FOUND COMPLIANCE PROBLEMS

COMPLIANCE ISSUES

Leaking Containers
& Labeling

Used oil storage containers not labeled with the words “Used Oil”.

Failed to stop a release of used oil, contain the released used oil, and clean up and properly manage the released used oil.



COMPLIANCE ISSUES

Used Oil Spills

Failed to stop a release of used oil,
contain the released used oil, and clean
up and properly manage the released
used oil.







COMPLIANCE ISSUES

Spill Clean-up

Clean up of used oil spills is in accordance with RECAP, Appendix D.

The indicator constituents and hydrocarbon fractions for used oil spills are PAH's, RCRA-8 metals, and TPH-ORO. Aliphatics C_{16} - C_{28} , Aromatics C_{16} - C_{21} , and Aromatics C_{21} - C_{28} may be used instead of TPH-ORO.

COMPLIANCE ISSUES

Hazardous Waste versus Used Oil

Conditionally exempt hazardous waste generator (CESQG) failed to perform a hazardous waste determination on acid and determined the material to be handled as used oil.

Used oil transporter relied on generator knowledge instead of testing the drum of 'used oil'. What was thought to be a drum of used oil was actually the acid. The contents of the drum was added to the truck and the acid corroded the bottom of this transport truck, causing an 1800 gallon used oil spill.



18 10 13

Yellow paint that was in a drum
labeled “Used Oil”.

This yellow paint is D001, D004,
D010, D035 hazardous waste
and contains 1880 ppm acetone.



Red paint in a drum labeled
“Used Oil”.

The material in these paint cans
is D008 hazardous waste.



Waste material in a drum labeled
“Used Oil”.

This material is D001, D008
hazardous waste and contains
71,100 ppm methylene chloride.



DIY a big issue

- Many water bodies
- Marinas need collection programs
- Many home mechanics and farmers
- Quick change shops come and go
- Parts shop collect to increase traffic
- Low local government participation
- Requirements by DIY collector vary
 - i.e. Wal-Mart does not want brake fluid

State Law

- **Louisiana Revised Statutes Section 2417. Used oil; collection; recycling and reuse; disposal** E. The following activities are prohibited: (4) No person may knowingly mix or commingle used oil with hazardous substances.



Questions?